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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/600,606	06/23/2003	Nobuhiro Jiwari	740819-1018	9586
22204	7590	05/19/2005	EXAMINER	
NIXON PEABODY, LLP 401 9TH STREET, NW SUITE 900 WASHINGTON, DC 20004-2128			DEO, DUY VU NGUYEN	
		ART UNIT		PAPER NUMBER
				1765

DATE MAILED: 05/19/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>
	10/600,606	JIWARI ET AL.
	Examiner DuyVu n. Deo	Art Unit 1765

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 14 April 2005.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-10 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All    b) Some \* c) None of:
  1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                    | Paper No(s)/Mail Date: _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date: _____ | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
|   | 6) <input type="checkbox"/> Other: _____                                    |

## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by Nishikawa et al. (US 4,711,809).

Nishikawa describes a method for depositing a fluorine-containing organic film using hexafluorobutadiene (col. 4, line 4-15, 41) (claimed C<sub>4</sub>F<sub>6</sub>, of which global warming potential is less than 100). Since the same gas is used, it would produce a layer with a relative dielectric constant of 4 or less on the magnetic recording medium (claimed semiconductor substrate).

### ***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over Xi et al. (US 6,211,065) and Nishikawa et al. (US 4,711,809).

Xi describes a deposition method of amorphous fluorocarbon (claimed fluorine-containing organic film) having a low dielectric constant as slow as 2.3 using a fluorine source

gas, such as CF<sub>4</sub>, C<sub>2</sub>F<sub>6</sub>, C<sub>3</sub>F<sub>8</sub>, C<sub>6</sub>F<sub>6</sub>, as the main component (col. 2, line 4-6; col. 12, line 34-44). Unlike claimed invention, he doesn't describe using fluorine gas such as C<sub>4</sub>F<sub>6</sub>. Nishikawa shows that at time of the invention, gases such as C<sub>4</sub>F<sub>6</sub>, of which global warming potential is less than 100, has been known and used by one skilled in the art to deposit fluorine-containing organic layer (col. 4, line 4-15, 41). It would have been obvious to one skilled in the art to use other fluorine gas such as C<sub>4</sub>F<sub>6</sub> in light of Nishikawa and Xi's teaching of using gas having atomic ratios of F:C less than 2 to deposit the fluorine-containing organic layer with an anticipation of an expected result.

4. Claims 2-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wang et al. (US 6,057,239), Xi et al. (US 6,211,065), Nishikawa et al. (US 4,711,809), and Imai et al. (US 6,057,247).

Wang describes a method for forming a semiconductor device comprising: dry-etching an oxide film (claimed insulating film); depositing a low dielectric organic film (col. 3, line 40-60). Unlike claimed invention, Wang doesn't describe the etching gas containing C<sub>4</sub>F<sub>6</sub> as a main component. However, using gas such as C<sub>5</sub>F<sub>8</sub>, C<sub>4</sub>F<sub>6</sub>, or C<sub>3</sub>F<sub>6</sub> as the main component for etching oxide film has been known to one skill in the art as taught by Imai (col. 15, line 6-7; col. 20, line 29-32). Therefore at the time of the invention, one skill in the art would find it obvious to etch the insulating film in light of Imai because Imai further describes techniques to etch the insulating film used by Wang in order to etch the insulating film.

Unlike claimed invention, Wang doesn't describe depositing a fluorine-containing organic film. However, he describes using low dielectric film and amorphous fluorocarbon is a low dielectric organic film as taught by Xi. Xi describes a deposition method of amorphous

fluorocarbon (claimed fluorine-containing organic film) having a low dielectric constant as slow as 2.3 using a material gas including C<sub>3</sub>F<sub>6</sub> as the main component (col. 2, line 4-6; col. 12, line 34-44). It would have been obvious at the time of the invention for one skill in the art to use an amorphous fluorocarbon film because it is a low dielectric organic film, which is used by Wang in order to form a sacrificial layer with an anticipation of an expected result.

Referring to the limitation of depositing the fluorine-containing organic layer using C<sub>4</sub>F<sub>6</sub>, of which global warming potential is less than 100, Nishikawa shows that at time of the invention, gas such as C<sub>4</sub>F<sub>6</sub> has been known and used by one skilled in the art to deposit fluorine-containing organic layer (col. 4, line 4-15, 41). It would have been obvious to one skilled in the art to use other fluorine gas such as C<sub>4</sub>F<sub>6</sub> in light of Nishikawa and Xi's teaching of using gas having atomic ratios of F:C less than 2 to deposit the fluorine-containing organic layer with an anticipation of an expected result.

According to the combined method above, the fluorocarbon gas is used in both, etching and depositing processes, on a same semiconductor substrate; therefore, it would have been obvious to do the etching and depositing in a same chamber of an apparatus in order to save processing time, and reduce contamination of substrate when it is moved from one chamber to another.

Referring to claim 4, according the method above, after the step of depositing the fluorocarbon film, the method (Wang's method) further comprises: forming a resist pattern on the insulating film, forming a wiring groove on the insulating film by dry etching using the resist as a mask; removing the resist and the fluorocarbon in the contact hole; and filling the contact

hole and the wiring groove with a metal film to form a contact and a metal interconnection (col. 3, line 60-col. 4, line 21).

2. Claims 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Matsubara et al. (US 6,104,092) and Nishikawa et al. (US 4,711,809).

Matsubara describes a method for forming a semiconductor substrate comprising: forming a metal film on the substrate; dry-etching the metal film using a resist pattern; depositing an amorphous carbon fluoride film (claimed fluorine-containing organic film) having a dielectric constant less than 4 (col. 2, line 54; col. 9, line 1-32). Unlike claimed invention, Matsubara doesn't describe depositing using C<sub>4</sub>F<sub>6</sub> as a main component gas. Nishikawa shows that at time of the invention, gas such as C<sub>4</sub>F<sub>6</sub>, of which global warming potential is less than 100, has been known and used by one skilled in the art to deposit fluorine-containing organic layer (col. 4, line 4-15, 41). It would have been obvious to one skilled in the art to use other fluorine gas such as C<sub>4</sub>F<sub>6</sub> in light of Nishikawa to deposit the fluorine-containing organic layer with an anticipation of an expected result.

3. Claims 7, 8, and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Matsubara and Nishikawa as applied to claim 6 above, and further in view of Frank (US 5,277,750).

Unlike claimed invention, Matsubara doesn't describe forming an insulating layer on the metal film and patterning the insulating film using a resist pattern. Frank teaches a method of patterning metal line. He teaches forming an insulating layer such as silicon dioxide on the

Art Unit: 1765

metal layer and patterning the silicon oxide using a resist pattern (col. 6, line 42, line 58-61). It would have been obvious for one skill in the art to modify Matsubara in light of Frank because Frank describes that the silicon dioxide can be used a hard mask in order to etch the metal.

Unlike claimed invention, above prior art doesn't describe depositing the fluorocarbon film and etching the silicon dioxide and metal films in a same chamber. However, it would have been obvious to do the etching and depositing in a same chamber of an apparatus in order to save processing time, and reduce contamination of substrate when it is moved from one chamber to another.

4. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Matsubara, Nishikawa, and Frank as applied to claim 8 above, and further in view of Qian et al. (US 6,136,211).

Unlike claimed invention, above prior art doesn't describe the wall of the reactor chamber includes an aluminum layer and a ceramic layer or an alumite-treated aluminum layer. Qian teaches an apparatus that can etch metal and insulating layer such as silicon dioxide. The chamber wall is fabricated from a variety of material including metals (aluminum oxide), ceramics, and composite materials (claimed aluminum and ceramic layer) (col. 5, line 31-46; col. 7, line 11-60). It would have been obvious for one skill in the art to use any apparatus that are available to one skill in the art such as one described by Qian in order to process the semiconductor with an anticipation of an expected result.

***Response to Arguments***

5. Applicant's arguments with respect to claims 1-10 have been considered but are moot in view of the new ground(s) of rejection.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DuyVu n. Deo whose telephone number is 571-272-1462. The examiner can normally be reached on 6:00-3:30; with alternate Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nadine Norton can be reached on 571-272-1465. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Primary examiner  
Duy-Vu N. Deo  
May 16, 2005

*jd*